

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

James M. Bay, :
Plaintiff(s), :
vs. : Case Number: 1:08cv376
Clermont County Sheriff's Department, et. al., : Chief Judge Susan J. Dlott
Defendant(s). :
:

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz filed on November 3, 2010 (Doc. 62), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired November 24, 2010, hereby ADOPTS said Report and Recommendation.

Accordingly, defendants' motions for summary judgment (Docs. 52 & 53) are **GRANTED**. The Court will *sua sponte* enter judgment in favor of the Doe defendants for the same reasons that judgment is warranted in favor of defendants Frye, Rodenberg, Stallworth and Willis. This case is hereby **TERMINATED** from the docket.

The Court will certify pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Order will not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3D 601 (6th Cir. 1997).

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court